

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PETROLEOS DE VENEZUELA S.A.; PDVSA
PETROLEO S.A.; and PDV HOLDING, INC.,

Plaintiffs,

-v.-

MUFG UNION BANK, N.A. and GLAS
AMERICAS LLC,

Defendants.

19 Civ. 10023 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

In their briefing in support of their motion for summary judgment, Plaintiffs have raised the potential applicability of the act of state doctrine. Courts that are analyzing the act of state doctrine frequently must consider whether the applicability of the doctrine would be “consistent with the law and policy of the United States.” *See Allied Bank Int’l v. Banco Credito Agricola de Cartago*, 757 F.2d 516, 522 (2d Cir. 1985).

In order to assist its analysis, the Court ORDERS the parties to notify the Civil Division of the U.S. Attorney’s Office for the Southern District of New York that the Court invites the views of the United States Government as to the following question: Is recognition of the Venezuelan National Assembly’s denunciation and invalidation of the 2020 Bond Indenture consistent with the law and policy of the United States? The parties’ notification should be brought specifically to the attention of Jeffrey Oestericher, Chief of the Civil Division. The Court further ORDERS the parties, in their notification to the

U.S. Attorney's Office, to request that the Government provide its views to the Court no later than August 5, 2020.

SO ORDERED.

Dated: June 25, 2020
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Faila".

KATHERINE POLK FAILLA
United States District Judge